

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

ENTERED

October 12, 2016

David J. Bradley, Clerk

ELIBORIO LERMA, JR.,

Plaintiff,

v.

UTMB, *et al.*,

Defendants.

§
§
§
§
§
§
§
§
§

CIVIL ACTION H-16-25

ORDER

Plaintiff's motion to unseal his medical records for use in the pending summary judgment proceedings (Docket Entry No. 42) is DENIED. The Court has access to the sealed medical records, and plaintiff may reference, or attach copies of, his medical records as he deems necessary. It is not necessary to unseal the records.

Plaintiff's rebuttal and motion to proceed (Docket Entry No. 28) is DENIED WITHOUT PREJUDICE for plaintiff's failure to include the required certificate of service showing that he served counsel for defendants a copy of the pleading.

Plaintiff's motion for summary judgment (Docket Entry No. 43) is DENIED. Plaintiff does not show that he is entitled to judgment as a matter of law.

Signed at Houston, Texas on October 12, 2016.



Gray H. Miller
United States District Judge